

REMARKS

Claims 1 to 42 were pending in this application and were rejected. Claims 1-2, 4-5, 11-12, 14, 23, 30, 37, and 41-42 are amended.

Applicants respectfully acknowledge the Examiner's consideration of the references cited in the Information Disclosure Statements filed on June 26, 2002 and June 20, 2003. The Examiner objected to the specification of the present application as containing a typographical error. Applicants have amended paragraph [0035] to incorporate the Examiner's suggestion. The Examiner also objected to claim 41 as containing a typographical error. Applicants have amended claim 41 to incorporate the Examiner's suggestion.

The Examiner rejected claims 2-4, 12-14, 23, 30, 37, and 42 under 35 U.S.C. § 112, second paragraph. Claim 2 is amended so as to clarify that the limitations therein further define the limitation recited in claim 1 of determining the assigned database server for handling the database request. Similarly, claim 12 has been amended to recite that the master control module determines the assigned database server from the plurality of database servers by determining that the database request is a request to create a database, generating a database identifier for the database, and mapping the database to the assigned database server using the database identifier. Therefore, in both claims, the database is created before it is being loaded.

Claim 42 has been amended as suggested by the Examiner to depend from claim 35 and to recite "assigning the database request to an alternative database server selected from the plurality of database servers based upon a failure in handling the database request by the assigned database server."

With respect to claims 4, 14, 23, 30, and 37, these claims have been amended to depend from the limitations of their respective parent claims of determining the assigned database server for handling the database request.

The Examiner rejected claims 1, 9-11, 16, 20-22, 24, 27-29, 31, 34-36, 38, and 41 under 35 U.S.C. § 102(b) as being anticipated by Rierden. Claim 1 as amended recites "*providing information regarding the assigned database server to the request handler to allow the request handler to provide the database request to the assigned database server for handling the database request.*" By providing the information regarding the assigned database server back to the request handler, the request handler is now able to make the database request to the assigned database, instead of having to submit the request through an intermediate server. As a result, the current request

and subsequent requests are handled more quickly, and with less overall load on the database system.

Rierden does not disclose claim 1 as amended. Instead, Rierden merely discloses a conventional "intermediate" server, the DDS 150, which sits between the transaction generator and the database server, and passes all requests from the transaction generator to the database server, and all responses from the database server back to the transaction generator. Specifically, Rierden discloses that "[a]fter receiving a client request, the selected DDS 150 first locates the appropriate server 160 for execution of the request, it then submits the client request to the selected server and finally the DDS 150 returns the result to the submitting client 120." (6:8-12). Rierden does not disclose that the DDS 150 or any other component provides information regarding the selected server to the transaction generator 120 for the transaction generator 120 to allow the generator 120 to provide the client request to the selected server. Instead, Rierden maintains the DDS as a "middleman" in all communications between the transaction generator and the database server. Thus, in Rierden, the client is unable to provide its database request to the database server, as claimed, and does not provide the benefit of reducing the load on the DDS.

Accordingly, claim 1 as amended is patentable over Rierden.

Dependent claims 9-10 are also patentable over Rierden both because they depend from patentable independent claim 1 as well as additionally reciting their own patentable features. For example, claim 9 recites "assigning the database request to an alternative database server selected from the group of available database servers, based upon a comparison of a first expected load on the assigned database server and a second expected load on the alternative database server"; claim 10 recites "assigning the database request to an alternative database server selected from the group of available database servers". Neither of these limitations pertaining to "alternative database servers" is disclosed by Rierden.

Claim 11, amended to recite that the master control module "*provides information regarding the assigned database server to the request handling module to allow the request handling module to provide the database request to the assigned database server,*" is patentable over Rierden for reasons analogous to those set forth above with claim 1.

Dependent claims 16 and 20 are patentable over Rierden both because they depend from patentable independent claim 11 as well as additionally reciting their own patentable features.

Claims 21, 28, and 35 recite "sending an identification of the assigned database server to the request handler." Again, Rierden fails to disclose that the DDS 150 or any other component

sends an identification of the selected server to the transaction generator 120. Thus, claims 21, 28, and 35 are patentable over Rierden.

Dependent claims 22, 24, and 28 are patentable over Rierden both because they depend from patentable independent claim 21 as well as additionally reciting their own patentable features. Dependent claims 29, 31, and 34 are patentable over Rierden both because they depend from patentable independent claim 28 as well as additionally reciting their own patentable features. Furthermore, dependent claims 36, 38, and 41 are patentable over Rierden both because they depend from patentable independent claim 35 as well as additionally reciting their own patentable features.

The Examiner rejected claims 7-8, 18-19, 25-26, 32-33, and 39-40 under 35 U.S.C. § 103(a) as being unpatentable over Rierden in view of D'Souza. As shown above, Rierden fails to disclose *"providing information regarding the assigned database server to the request handler to allow the request handler to provide the database request to the assigned database server for handling the database request."* D'Souza does not remedy this deficiency in Rierden. At best, Rierden in combination with D'Souza suggest balancing the load of a conventional intermediate server based on the distribution of clients. However, this fails to provide the benefit of the claimed limitation because a client is unable to provide its database request to a database server without having to go through the DDS each time. Accordingly, claims 7-8, 18-19, 25-26, 32-33, and 39-40 are patentable over the combination of Rierden and D'Souza.

The Examiner also rejected claims 5-6, 15, 17, and 42 under 35 U.S.C. § 103(a) as being unpatentable over Rierden in view of Lin. Lin does not remedy the deficiencies of Rierden discussed above. At best, Rierden in combination with Lin suggest a conventional intermediate server that responds to a failed database request or an elapsed response time. However, this fails to provide the benefit of the claimed limitation because a client is unable to provide its database request to a database server. Accordingly, claims 5-6, 15, 17, and 42 are patentable over the combination of Rierden and Lin.

In sum, Applicants respectfully submit that claims 1 through 42, as presented herein, are patentably distinguishable over the cited references. Therefore, Applicants request reconsideration of the basis for the rejections to these claims and request allowance of them.

In addition, Applicants respectfully invite Examiner to contact Applicants' representative at the number provided below if Examiner believes it will help expedite furtherance of this application.

Respectfully submitted,
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